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10/777,732

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EXAMINER

PYO, MONICA M

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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/777,732	<b>Applicant(s)</b> GILBERT ET AL.	
	<b>Examiner</b> MONICA M. PYO	<b>Art Unit</b> 2161	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 14 May 2009.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 21-39 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 21-39 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

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### **DETAILED ACTION**

1. This communication is responsive to the Amendment filed 5/14/2009.
2. Claims 21-39 are currently pending in this application. In the Amendment filed 5/14/2009, claims 21 and 30-39 are amended. Claims 21-39 are rejected. This action is made Final.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 21-28, 30 and 36-39 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Application Publication No. 2003/0140038 by Baker et al. (hereinafter Baker) in view of U.S. Patent No. 6,021,412 issued to Ho et al. (hereinafter Ho).

Regarding claims 21 and 30, Baker discloses a method performed by a computer system having a processor and memory of inserting a graphic onto a drawing page of a drawing software module installed on the computer system, wherein the drawing software module is configured to access by default a local graphic library that is installed on the computer system (Baker: [0048]; fig. 4), the method comprising:

**wherein the enterprise graphic library and the public graphic library are both separate from the local graphic library the drawing software module is configured to**

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**access by default**, as the client computer communicates with the server computer (Baker: [0034-0035]);

**receiving from the user a search term that describes a desired graphic and a selection of whether to search the local graphic library, a remote graphic library, or both**, as the Search module receives search terms from the user and the module searches the local database or the remote server (Baker: [0055]) ;

**when the user selects to search a remote graphic library**, as if the user wishes to search more in depth (Baker: [0056]),

**if the drawing software module has been configured to access the enterprise graphic library (i.e., collection A), identifying one or more graphics in the enterprise graphic library (i.e., collection B) that match the received search term**, as the can have the option of searching any one of the collections (A or B) which the user has subscribed (Baker: [0056]), **and**

**if the drawing software module has been configured to access the public graphic library, identifying one or more graphics in the public graphic library that match the received search term**, as the can have the option of searching any one of the collections (A or B) which the user has subscribed (Baker: [0056]);

**when the user selects to search the local graphic library, identifying one or more graphics in the local graphic library that match the received search term**, as if the user chose to search within the client computer (Baker: [0056]);

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**retrieving from the graphic libraries in which the graphics were identified with the information which associated with each of the identified graphics**, as the download/upload module retrieves the representations of the items found by the search (Baker: [0051-0052]);

**displaying to the user the retrieved metadata** (i.e., a short summary of the document contents), as the UI module displays to the user (Baker: [0045 & 0054]);

**receiving from the user a selection of one of the identified graphics based on the displayed metadata**, as the items which are referenced by the found keyword can be retrieved based on an input from the user (Baker: [0046 & 0055]);

**retrieving the selected graphic from the graphic library in which the graphic was identified**, as the retrieving process of thumbnail images of the items found and transmitting such images to the user by way of the presentation module and the UI module (Baker: [0055]);

**inserting the selected graphic onto the drawing page of the drawing software module**, as the local computer stores the data (Baker: [0059]).

Although Baker discloses the system utilizing a local-area graphic library (Baker: [0033, 0035, 0052], Baker does not explicitly disclose the features of the system providing access to an enterprise graphic library maintained on a local network, wherein the enterprise graphic library includes content transferred from a public graphic library accessible via wide-area network to the enterprise graphic library, wherein the enterprise graphic library and the public graphic library are both remote from the computer system, wherein the enterprise graphic library and the public graphic library are both separate from the local graphic library the drawing software module is configured to access by default; maintaining in the memory of the computer system the local graphic library, and receiving from a user configuration information, wherein the configuration

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information indicates whether the enterprise graphic library, the public graphic library, or both are accessible to the drawing software module in addition to the local graphic library the drawing software module is configured to access by defaults; configuring the drawing software module to access the enterprise graphic library, the public graphic library, or both based on the received configuration information. However, such features are well known in the art as disclosed in Ho (Ho: col. 3, lns. 36-col. 4, lns. 27; fig. 1 - as the graphic presentation program and a graphics library containing instances of graphics; the facility or the graphics library may be provided separately from the presentation program, such as in an external library; and as the facility compares the inputted word to the concept matching words and allows the user to add an instance of graphics) and it would have been obvious to one of ordinary skill in the art at the time of invention to utilize the teachings of Ho in the system of Baker in view of improving the efficiency of utilizing and searching the graphic database system.

Regarding claim 22, Baker and Ho disclose the method wherein the enterprise graphic library is a private graphic library accessible only to a defined set of users and others with authorization (Baker: [0056] – i.e., subscription)

Regarding claim 23, Baker and Ho disclose the method wherein an address for each of the graphic libraries is written into a configuration database associated with an operating system of the computer (Baker: [0064]) and (Ho: col. 3, lns. 36-col. 4, lns. 27).

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Regarding claim 24, Baker and Ho disclose the method wherein a wide-area network address written into the configuration database is changed to a local-area network address when the user configures the drawing software module to access the enterprise graphic library on the local-area network (Baker:[0039]) and (Ho: col. 3, lns. 36-col. 4, lns. 27).

Regarding claims 25 and 38, Baker and Ho disclose the method wherein the metadata comprises a representative, abridged image of the graphic (Baker: [0054]) and (Ho: col. 3, lns. 36-col. 4, lns. 27).

Regarding claim 26, Baker and Ho disclose the method wherein at least one of the selected graphic libraries is located inside a firewall of an enterprise (Baker: [0048]) and (Ho: col. 3, lns. 36-col. 4, lns. 27).

Regarding claim 27, Baker and Ho disclose the method wherein at least one of the selected graphic libraries is located at an intranet site, and wherein the identifying one or more graphics comprises generating a document associated with the identified graphics and transmitting the document to an active server page of an intranet site (Baker: [0045]) and (Ho: col. 3, lns. 36-col. 4, lns. 27).

Regarding claim 28, Baker and Ho disclose the method wherein the configuring includes storing an address of each graphic library (Baker: [0057 & 0064]) and (Ho: col. 3, lns. 36-col. 4,

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lns. 27).

Regarding claim 36, Baker and Ho disclose the computer-readable medium wherein the graphic databases include a private graphic database on a local-area network and a public graphic database on a wide-area network (Baker: [0033-0034]) and (Ho: col. 3, lns. 36-col. 4, lns. 27).

Regarding claim 37, Baker and Ho disclose the computer-readable medium wherein the information comprises metadata (Baker: [0045]) and (Ho: col. 3, lns. 36-col. 4, lns. 27).

Regarding claim 39, Baker and Ho disclose the computer-readable medium wherein the metadata includes a textual description of the graphic (Baker: [0045]) and (Ho: col. 3, lns. 36-col. 4, lns. 27).

5. Claims 29 and 31-33 are rejected under 35 U.S.C. 103(a) as being unpatentable Baker in view of Ho as applied to claims 21-28, 30 and 36-39 above, and further in view of U.S. Patent No. 6,658,598 issued to Sullivan (hereinafter Sullivan).

Regarding claim 29, although Baker and Ho disclose the method further comprising changing a stored address to point to a different graphic library by transmitting the search term to the remote server (Baker: [0058]), Baker and Ho do not explicitly disclose the method to change a stored address to point to a library. However, such a feature is well known in the art as disclosed in Sullivan (Sullivan: col. 9, lns. 66-col. 10, lns. 17) and it would have been obvious to



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utilize the teachings of Sullivan in the systems of Baker and Ho in view of improving the efficiency of the searching database system.

Regarding claim 31, although Baker and Ho disclose the computer-readable storage medium wherein the configuring includes the series of computer instructions to communicate and transmit to a computer system (Baker: [0064]), Baker and Ho do not explicitly disclose the configuring includes setting a registry key for each of the graphic databases. However, such a feature is well known in the art as disclosed in Sullivan (Sullivan: col. 9, lns. 66-col. 10, lns. 17) and it would have been obvious to utilize the teachings of Sullivan in the systems of Baker and Ho in view of improving the efficiency of the searching database system.

Regarding claim 32, Baker and Ho and Sullivan disclose the computer-readable storage medium further comprising changing a registry key to point to a different graphic database (Baker: [0064]) and (Sullivan: col. 9, lns. 66-col. 10, lns. 17).

Regarding claim 33, Baker and Ho and Sullivan disclose the computer-readable storage medium wherein one of the selected graphic databases is an active server page, and wherein the receiving from the user the search term comprises receiving an extensible markup language document that is sent to the active server page (Baker: [0064]) and (Sullivan: col. 9, lns. 66-col. 10, lns. 17).

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6. Claims 34 and 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Baker in view of Ho as applied to claims 21-28, 30 and 36-39 above, further in view of U.S. Patent No. 7,167,920 issued to Traversat et al. (hereinafter Traversat).

Regarding claim 34, although Baker and Ho disclose the computer-readable storage medium wherein the method further comprises receiving the desired graphic, and wherein the inserting comprises downloading the desired graphic (Baker: [0058-0059]), Baker and Ho do not explicitly disclose a uniform resource locator. However, such a feature is well known in the art as disclosed in Traversat (Traversat: col. 12, lns. 46-col. 13, lns. 3) and it would have been obvious to utilize the teachings of Traversat in the systems of Baker and Ho in view of improving the efficiency of the searching database system.

Regarding claim 35, Baker and Ho and Traversat disclose the computer-readable storage medium wherein at least one of the graphic databases is located on a private network, and wherein the uniform resource locator locates the desired graphic on a server in the private network (Baker: [0056]) and (Traversat: col. 12, lns. 46-col. 13, lns. 3).

### ***Response to Arguments***

7. Applicant's arguments with respect to claims 21-39 have been considered but are moot in view of the new ground(s) of rejection.

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***Conclusion***

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MONICA M. PYO whose telephone number is (571)272-8192. The examiner can normally be reached on Mon- Fri 8:00 - 2:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Apu Mofiz can be reached on 571-272-4080. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Monica M Pyo  
Examiner  
Art Unit 2161

*07/2009*

/Apu M Mofiz/

Supervisory Patent Examiner, Art Unit 2161